



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13515 of 2022

VENTHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE FOREST RANGE OFFICER,
SINGARAPETTAI RANGE,
KRISHNAGIRI DISTRICT.
S.T.O.R.NO.1 OF 2021.

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 2, 35, 35(B), 36 & 56 of Forest Act, 1882 and Section 2, 3 & 4 of Tamil Nadu Timber Transit Rules, 1968, in STOR.No.1 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Totally there are three accused in this case. The petitioner herein is arrayed as A3. It is the case of the prosecution that the petitioner is alleged to have transported 90 numbers of teak wood logs from the patta land of the petitioner illegally with the help of two lorries bearing Registration Nos.TN-29-AK-2665 and TNP-28-L-7249 without any valid permission. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is the driver of the vehicle. He further submits that the co-accused A2 was already and released on anticipatory bail by this Court in CrI.OP.No.25219 of 2021 dated 27.12.2021. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that 90 numbers of teak wood logs were transported by the petitioner using two lorries without any valid permit. He further submitted that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Taking note of the facts and circumstances and also considering the fact that the co-accused was released on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Thiruppathur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
13/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, THIRUPPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE FOREST RANGE OFFICER,
SINGARAPETTAI RANGE,
KRISHNAGIRI DISTRICT.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.NO.8932

CRL OP.13515/2022

Date :13/06/2022

TA-20/06/2022